

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF CLUBS, TAVERNS, AND OTHER PLACES OF BUSINESS WHEREIN MUSIC IS SUPPLIED OR DANCING CARRIED ON AS A PART OF THE BUSINESS, FIXING THE FEES FOR SUCH LICENSES, PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT HERewith AND DECLARING AN EMERGENCY.

The people of the City of Elgin do ordain as follows:

Section 1. It shall be unlawful for any person, persons, association, company or corporation to prosecute, engage in or carry on any calling, occupation or business within the city of Elgin, Union County, Oregon, for which the terms of this ordinance require the payment of a license fee until such person, persons, association, company or corporation shall have secured and paid for a license fee as prescribed herein.

Section 2. Any person, persons, associations, company or corporation required by this ordinance to secure a license shall before engaging in such calling, occupation or business, pay to the City Recorder of the City of Elgin, the sum and amount prescribed and fixed herein as a license fee; and a license to conduct such calling, occupation or business shall thereupon be issued by the City Recorder on such forms as he may prescribe. All licenses issued under the terms of this ordinance shall date from the payment of said license fee and shall be in force and effect for the day, week, month, year or other time mentioned in said license next following the date of said payment, unless sooner revoked by order of the City Council of the City of Elgin, Oregon.

Section 3. The owner, proprietor, manager or agent operating any club, tavern or other place of business wherein music by a band, orchestra, coin-operated machine, commonly called a "juke box", or other form of music is supplied, or dancing is carried on, or either or any thereof, shall pay the following license fee: (20⁰⁰) per month or any fraction thereof; provided, that a license for the operation of card tables may include a "juke box" without any increase in the license fee heretofore provided, and provided further, that the

City Council by resolution entered in the minutes may permit such forms of entertainment to be carried on by a lodge, chamber of commerce or municipality or for the benefit of charity without the payment of a license fee.

Section 4. All places of business or entertainment wherein music or dancing is carried on for entertainment purposes shall close and remain closed, and all owners, proprietors, managers or agents of said places of entertainment are hereby prohibited from carrying on such business, from (2 AM.) to eight o'clock A. M. of each and every day of the operation of such place of business.

Section 5. Any person violating any of the provisions of this ordinance shall, upon being found guilty thereof, be fined not more than \$100.00, or be imprisoned in the city jail for a term not exceeding 20 days.

Section 6. Inasmuch as places of entertainment are being opened in the city of Elgin, and the peace and quiet of said city require that this ordinance to into immediate effect, an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor and posting and posting thereof, as required by the charter.

Passed and adopted this 4th day of January, 1951.

Approved this 4th day of January, 1951.

Rex C. Roulet
Mayor

ATTEST: W. E. Kuhn
City Recorder

An Ordinance for the prevention of dangerous buildings and structures, defining the same, providing for punishment for maintaining the same, providing for the abatement and removal thereof, and the charging of the cost of such removal or abatement against the property, and declaring an emergency.

THE PEOPLE OF THE CITY OF ELGIN DO ORDAIN AS FOLLOWS:

Section 1. For the purpose of this ordinance the term "dangerous building" shall mean and include any building or other structure which, for the want of proper repairs or by reason of age and dilapidated condition or by reason of poorly installed electrical wiring or equipment, defective chimney, defective gas connection, defective heating apparatus, or for any other cause or reason, is especially liable to fire, and which building or structure is so situated or occupied as to endanger any other building or property or human life. Said term shall also mean and include any building or structure containing any combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind especially liable to cause fire or danger to the safety of such building, premises, or to human life. Said term shall also mean and include any building or structure which shall be kept or maintained or shall be in filthy or unsanitary condition, especially liable to cause the spread of contagious or infectious disease or diseases. Said term shall also mean and include any building or structure in such weak or weakened condition, or dilapidated or deteriorated condition, as to endanger any person or property by reason of probability or partial or entire collapse thereof.

Section 2. The term "person" as used in this ordinance shall mean and include any person or persons, firm or firms, corporation or corporations.

Section 3. Any person who shall be the owner of, or shall be in possession of, or in responsible charge of any dangerous building within the City of Elgin, and who shall knowingly suffer or permit any such building to be or remain dangerous for as long as ten days after receipt of notice as herein provided, shall be guilty of a violation of this ordinance and shall, upon con-

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viction thereof in the Recorder's Court, be fined not to exceed \$100.00, or imprisoned not to exceed ^{twenty} ~~thirty~~ days, ~~and both fine and imprisonment~~ in the judgment of the court.

Section 4. Whenever the Mayor, Marshal, City Attorney, Street Commissioner, Fire Chief, or any Councilman, shall find or be of the opinion that there is a dangerous building in the City of Elgin, it shall be the duty of such person to report the same to the Common Council. Thereupon the Common Council shall, within reasonable time, fix a time and place for a public hearing thereon. Notice shall be mailed to the owner of record of the premises whereon said building is located, by the City Recorder, notifying said owner in general terms that a hearing will be held concerning said property, and the time and place thereof. At said time and place, or at such other time or times, or place or places, as the Council may adjourn to, said hearing shall be held, and the Council shall determine by resolution whether or not said building is dangerous. The Council may, as a part of said hearing, inspect said building, and the facts observed by said council at such inspection may be considered by it in determining whether or not said building is dangerous. At said hearing the owner or other person interested in said property or building shall have the right to be heard, if such owner or person requests the same. Ten days notice of any such hearing shall be given publication in some newspaper published in the City of Elgin, or by posting notices thereof in three public places in said City, and if the last mentioned notice be published or given as herein required, no irregularity or failure to ^{Mail} main notices shall invalidate the proceedings. At such hearing the Council shall have the power to order any building declared to be dangerous, removed and abated, if in its judgment such removal or abatement is necessary in order to remove said dangerous condition, or the Council shall have the power to order said building made safe and to prescribe what acts or things must be done to render the same safe. Five days notice of said findings and of any orders made by the Council shall be given to the owner of said building, his agent or other person controlling the same and if said

orders be not obeyed and said building rendered safe within the time in said order specified, being not less than five days, then the Council shall have the power and duty to order said building removed or made safe at the expense of the property on which the same may be situated. In that event the Council must specify with convenient certainty the work to be done and shall file a statement thereof with the Recorder, and shall advertise for bids for the doing of said work in the manner provided for advertising for bids for street improvement work, and thereafter said bids shall be received, opened, and contract let, the Council shall ascertain and determine the probable cost of said work, and assess the same against the property upon which said building is situated, said assessment shall be declared by an ordinance, and it shall be entered in the docket of City Liens, and shall thereupon be and become a lien against said property, and the creation of said lien and the collection and enforcement of said cost shall all be done and performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded.

Section 5. Every building or part thereof which shall hereafter be found by the Common Council to be a dangerous building, is hereby declared to be a public nuisance, and the same may be abated either summarily or the procedure hereinabove specified may be followed, or a suit for abatement thereof may be brought by the City of Elgin in the Circuit Court of Union County, Oregon.

Section 6. It is the intention of the Council that each separate provision of this ordinance shall be deemed independent, to the end that if any portion thereof shall be declared invalid, that the remaining portions thereof shall, nevertheless remain valid and enforceable.

~~Section 7. Where any building in the City of Elgin is found to be a dangerous building, the Council shall have the power and duty to order said building removed or made safe at the expense of the property on which the same may be situated. In that event the Council must specify with convenient certainty the work to be done and shall file a statement thereof with the Recorder, and shall advertise for bids for the doing of said work in the manner provided for advertising for bids for street improvement work, and thereafter said bids shall be received, opened, and contract let, the Council shall ascertain and determine the probable cost of said work, and assess the same against the property upon which said building is situated, said assessment shall be declared by an ordinance, and it shall be entered in the docket of City Liens, and shall thereupon be and become a lien against said property, and the creation of said lien and the collection and enforcement of said cost shall all be done and performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded.~~

Section 7. Any Ordinance or any clause, sentence, or section of any Ordinance in conflict with this Ordinance is hereby repealed.

Section 8. Whereas, there are dangerous buildings in the City of Elgin, and great damage is likely to occur therefrom, it is the opinion of the Common Council that an emergency exists, and that it is necessary for the immediate preservation of the peace, health and safety of the said City that this Ordinance go into full force and effect immediately.

Section 9. Therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage, its approval by the Mayor and the posting thereof as required by Charter.

Passed by the Council this 2 day of May 1951

Approved by the Mayor this 2 day of May 1951

Rex C. Roulet

Mayor

Attest:

B. P. Muller

City Recorder